



Department of Justice

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JUSTICE DEPARTMENT REACHES AGREEMENT WITH THE CITY OF ALBUQUERQUE TO IMPLEMENT SWEEPING REFORMS ON USE OF FORCE BY THE ALBUQUERQUE POLICE DEPARTMENT

WASHINGTON – The Justice Department today announced it has reached a comprehensive settlement agreement with the city of Albuquerque that will bring wide-ranging reforms to the Albuquerque Police Department (APD) and its use of force against civilians. The Justice Department and the city have agreed to enter into a court-enforceable settlement agreement that will overhaul the way in which APD handles use of force by its officers following a year-long investigation into the department’s practices and letter of findings released by the Justice Department in April, 2014. Once the Albuquerque City Council considers the settlement agreement in a special session scheduled for the week of November 3, the Justice Department and the city will file the settlement agreement with the United States District Court for approval and entry as an order.

"The overwhelming majority of our nation’s law enforcement officials perform their duties with exceptional courage, integrity, and professionalism—risking their lives every day to keep their communities safe. But whenever a pattern of troubling conduct is uncovered, or that high standard is not met, the Department of Justice must and will take action," said Attorney General Eric H. Holder Jr. "The far-reaching agreement we have secured in this case will transform the culture and practices of the Albuquerque Police Department. And I am confident that, with the cooperation of city leaders and brave law enforcement officials, we will take significant steps to restore trust with local citizens and build for Albuquerque’s residents the stronger, safer, and more secure communities that all Americans deserve."

In addition to use of force practices, The Justice Department’s investigation found that officers routinely use deadly force and less lethal force in an unreasonable manner and that systemic deficiencies in policies, training, supervision, and oversight contributed to the pattern or practice. Following the release of the investigative findings, the Justice Department engaged in extensive community outreach to solicit feedback and recommendations on reform from a wide variety of stakeholders, including police officers, community leaders, mental health advocates, family members, and other Albuquerque residents. The feedback played a critical role in tailoring the settlement agreement to the unique needs of the Albuquerque community and APD.

"Today’s landmark settlement agreement will begin the process of restoring trust and cooperation between the Albuquerque community and law enforcement. Constitutional policing is key to building trust between police departments and the communities they serve, and trust is of course key to ensuring public and officer safety," said Vanita Gupta, Acting Assistant

Attorney General for the Civil Rights Division. "The settlement agreement provides a blue print for sustainable reform that will foster continued collaboration and participation from the community. We thank Mayor Berry, Chief Eden, and all of the individuals who came forward to share their experiences concerning APD to make this historic settlement agreement possible."

"We are extremely proud of our community and police department for coming together in a time of serious challenges to the City to offer their advice and recommendations on a path forward," said Damon P. Martinez, United States Attorney for the District of New Mexico. "Reform will not take place overnight and it will take time to heal our community, but we are well on our way. Through the settlement agreement reached today, the City agrees to implement fundamental reforms in a transparent manner that will ensure that force is used in accordance with constitutional rights and that promotes greater trust among the hard working men and women of the Albuquerque Police Department and the residents they are sworn to protect."

Under the settlement agreement, the city and APD will implement comprehensive reforms in nine substantive areas. An independent monitoring team will be selected jointly and will oversee the reforms, which are expected to be implemented within four years. The areas covered by the settlement agreement are:

- Use of force: including requiring supervisors to report to the scene of uses of force; providing medical care to subjects of force immediately after an incident; improving the quality of force investigations; developing a force review board to detect and correct patterns and trends, and utilizing surrounding law enforcement agencies as part of a multi-agency task force to investigate officer-involved shootings to provide greater objectivity and accountability;
- Specialized units: including measures that require clearly defined missions and duties for specialized tactical and investigative units; ensuring that officers are sufficiently trained to save lives in high-risk situations; and dismantling APD's repeat offender project to restore its core mission as an investigative, rather than tactical, unit;
- Crisis intervention: including establishing a mental health response advisory committee; providing behavioral health training to all officers, police dispatchers, and 9-1-1 operators; and maintaining groups of specially-trained first responders, detectives, and mental health professionals that provide crisis intervention and ongoing support to individuals with serious mental illness or who are chronically homeless;
- Policies and training: including developing clear and comprehensive policies on use of force, preventing retaliation, supporting officers who report misconduct, and improving the field training program to ensure that officers develop the necessary technical and practical skills required to use force in a lawful and effective manner;
- Internal and civilian complaint investigations: including measures to eliminate arbitrary deadlines for the submission of civilian complaints; standards for conducting objective, thorough, and timely investigations; steps to ensure that the disciplinary

system is fair and consistent; and protocols to protect officers' rights against self-incrimination;

- Staffing and supervision: including completing a staffing and resource study to determine the appropriate allocation of resources; holding supervisors accountable for close and effective supervision; and providing guidance on the effective use of on-body recording systems to promote accountability and strengthen public trust;
- Recruitment and promotions: including developing a strategic recruitment plan that includes clear goals, objectives, and action steps for attracting qualified applicants from a broad cross section of the community and ensuring that fair and consistent promotion practices are implemented;
- Officer assistance and support: including measures to ensure that APD personnel have ready access to mental health services and that supervisors are trained in making referrals in a manner that minimizes stigma; and
- Community engagement and oversight: including measures to strengthen the City's civilian oversight process; public information programs that keep members of the public informed of APD's progress toward reform; requirements on fostering community policing at all levels of APD; and establishing community policing councils throughout the City to ensure that meaningful feedback is obtained from the community.

The independent monitoring team will oversee the implementation of reforms, provide technical assistance, and report on the city's compliance through periodic and public reports. The monitoring team will have access to all documents, personnel, facilities and information related to the settlement agreement and will engage with officers and community members on an ongoing basis. The monitoring team will also be responsible for conducting outcome assessments to determine whether the goals of the settlement agreement are being met through compliance indicators and objective measures. The settlement agreement requires two years of sustained compliance with the agreement before the agreement may be terminated.

For more information on the Justice Department's Civil Rights Division, please visit www.justice.gov/crt. For more information about the United States Attorney's Office for the District of New Mexico, please visit <http://www.justice.gov/usao/nm>.

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